

## **REMARKS**

### **I. Summary of Office Action**

Claims 1-17 were pending in this application.

Claims 1-15 were rejected under 35 U.S.C.

§ 103(a) as being obvious over Young U.S. Patent No. 4,706,121 ("Young") in view of Yuen et al. U.S. Patent No. 5,307,173 ("Yuen") and further in view of Heuer U.S. Patent No. 4,156,198 ("Heuer"). Claims 16 and 17 were rejected under 35 U.S.C. § 103(a) as being obvious over Young in view of Yuen in view of Heuer and further in view of Park U.S. Patent No. 5,193,009 ("Park").

### **II. Summary of Reply**

Applicant has amended claim 8, and added new claims 18-20, in order to more particularly define the claimed invention. No new matter has been added and the amendments and new claims are fully supported by applicant's originally-filed disclosure.

Applicant respectfully traverses the rejections set forth in the Office Action.

### **III. Reply to the Prior Art Rejections**

Applicant's independent claims 1 and 8 were rejected under 35 U.S.C. § 103(a) as being obvious over Young in view of Yuen and further in view of Heuer.

Claim 1 and amended claim 8 define a technique for controlling a television tuner. A first channel selection command corresponding to a selected television program is received, where the first channel selection command unrecognizable by the television tuner. The first channel selection command is converted to a second channel

selection command, where the second channel selection command is recognizable by the television tuner. The television tuner uses the second channel selection command to tune to the selected program.

Applicant respectfully traverses the rejections set forth in the Office Action for at least the reasons set forth below.

A. The Office Action's Combination of  
Young, Yuen, and Heuer Does Not Show or Render  
Obvious Receiving a User Selection, as Claimed

Applicant respectfully submits that claim 1 and amended claim 8 represent a patentable improvement over the combination of Young, Yuen, and Heuer because the Office Action's combination of these references does not show or render obvious applicant's claimed feature of "receiv[ing]. . . a first channel selection command unrecognizable by [a] television tuner" (emphasis added).

The Office Action contends that Heuer at col. 5, ll. 34-40 shows this feature (*Office Action*, pg. 3, ll. 17 and 18). However, in contrast to this contention of the Office Action, the alleged channel selection commands in Heuer are all recognizable by Heuer's tuner. For example, Heuer states

The channel counter **20** is used to determine if all channels have been scanned twice in search of the selected channel number. If the selected channel number is not found to be displayed on display **21** after two consecutive scans of the entire tuning range, gate **19** produces an inhibiting voltage which inhibits the output of coincidence detector **17**. Simultaneously, the display **21** is caused to be blanked on and off by astable multivibrator **23** indicating that the desired channel number was not found to be within

the tuning capability of the tuning system (Heuer, col. 2, ll. 58-60; emphasis added).

Thus, although a channel corresponding to a channel selection command in Heuer may not be "within the tuning capability of the tuning system" and/or may be "inhibit[ed]" by Heuer's tuning system, the channel selection command is itself recognizable by Heuer's tuner. This is evidenced by the fact that the system of Heuer "scans [an] entire tuning range" in response to receiving a channel selection command to determine whether a channel corresponding to the channel selection command is "within the tuning capability of the tuning system." The fact that Heuer responds to a channel selection command by scanning a tuning range means that the tuner of Heuer recognizes the channel selection command, even if (in some instances) the system of Heuer cannot find the corresponding channel within the tuning range of Heuer's system.

In contrast, applicant's claims relate to "receiv[ing]. . . a first channel selection command unrecognizable by [a] television tuner" (emphasis added). In applicant's claimed technique, no action can be taken at a tuner in response to receiving the first channel selection command, since the first channel selection command is unrecognizable by the tuner. For example, in contrast to the teachings of Heuer, no scan of a tuning range is performed in response to receiving the first channel selection command in applicant's claimed approach. Thus, Heuer does not disclose above-identified claimed feature.

Young and Yuen were cited by the Examiner as allegedly showing elements of applicant's claims that are not present in the above-identified feature.

Further, because disclosure cannot be found in Heuer or in the portions of Yuen and Young cited in the Office Action for the above-identified feature, the combination of these references cited in the Office Action does not show or render obvious applicant's claims 1 and 8. Applicant respectfully requests therefore that the rejection of claims 1 and 8, and all of their dependent claims, under 35 U.S.C. § 103(a) be withdrawn.

B.    The Office Action's Combination  
      of Young, Yuen, and Heuer Does Not  
      Show or Render Obvious Converting a  
      Channel Selection Command, as Claimed

Applicant further submits that claim 1 and amended claim 8 represent a patentable improvement over the combination of Young, Yuen, and Heuer because the Office Action's combination of these references does not show or render obvious applicant's claimed feature of "converting [a] first channel selection command [unrecognizable by a television tuner] to a second channel selection command recognizable by [a] television tuner" (hereinafter, "applicant's conversion feature").

The Office Action concedes that disclosure cannot be found in the combination of Young and Heuer for applicant's conversion feature (*Office Action*, pg. 4, ll. 1-3), but alleges that the disclosure at col. 16, l. 53 through col. 18, l. 7 of Yuen remedies these deficiencies so as to render obvious applicant's conversion feature (*Office Action*, pg. 4, ll. 4-7).

Applicant respectfully disagrees. The disclosure at col. 16, l. 53 through col. 18, l. 7 of Yuen relates to a channel conversion table (Yuen, col. 17, ll. 27-37) that displays an "assigned cable channel no." list and a "channel number in the local cable carrier" list. Even assuming, *arguendo*, that Yuen's lists are channel selection commands as defined by applicant, they would represent channel selection commands that are recognizable by Yuen's television tuner, since a user can use the channel number from either list to tune to a desired channel.<sup>1</sup> Further, Heuer relates to a technique for tuning to a selected channel where a tuning range is scanned in search of the selected channel number. As described in Section III.A, above, the technique of Heuer relates only to channel selections that are recognizable by Heuer's tuner. Thus, because both Heuer and the cited portions of Yuen relate to recognizable channel selection commands, neither of these references alone discloses how to convert from an unrecognizable command to a recognizable command, as claimed.

Further, even assuming, *arguendo*, that Heuer related to unrecognizable commands, neither of these references alone would disclose how to convert from an incompatible command to a compatible command since each reference individually would still deal with only with one

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<sup>1</sup> For example, Yuen refers to selecting channel **24** from the "assigned cable channel no. list," and selecting CABLE CHANNEL **2** from the "channel number in the local cable carrier" as two possible ways to select the same desired channel. See, e.g., Yuen, col. 17, ll. 64-67 (stating that "pushing the key pad buttons **24** will select HBO" [and] pushing CABLE CHANNEL **2**. . .will also select HBO," emphasis added).

type of channel selection command (i.e., channel selection commands that are either recognizable or unrecognizable by a tuner). Therefore, the combination of these references again would not show or render obvious how to convert from an unrecognizable channel selection command to a recognizable channel selection command, as claimed.

Young was cited by the Examiner as allegedly showing elements of applicant's claims that are not present in applicant's conversion feature. Accordingly, disclosure cannot be found in Young for this feature.

Further, because disclosure cannot be found in Heuer or in the cited portions of Yuen and Young for applicant's conversion feature, the combination of these references cited in the Office Action does not show or render obvious applicant's claims 1 and 8. Applicant respectfully requests therefore that the rejection of claims 1 and 8, and all of their dependent claims, under 35 U.S.C. § 103(a) be withdrawn.

IV. New Claims 18-20

Applicant has added new claims 18-20, which specify further features of applicant's novel system, and are fully supported by applicant's originally-filed disclosure. New claims 18-20 include all the limitations of independent claim 1, and are allowable for at least the same reasons as claim 1.

V. Conclusion

For at least the reasons set forth above, applicant respectfully submits that this application, as amended, is in condition for allowance. Reconsideration and prompt allowance are accordingly respectfully requested.

Respectfully submitted,

/Saswat Misra/

Saswat Misra

Reg. No. 64,254

Agent for Applicant

ROPES & GRAY LLP

Customer No. 75563

1211 Avenue of the Americas

New York, New York 10036-8704

Tel.: (212) 596-9000